

II. Remarks

Reconsideration and allowance of the subject application are respectfully requested.

Claims 1-9 and 11-12 are pending in this application. Claims 1 and 12 are independent. In this Amendment, Claim 1 has been amended, and Claim 12 has been newly added. Applicants submit that the amendments presented herein are made for reasons of clarity with respect to the specification and drawings, and not for reasons relating to the statutory requirements for patentability.

As a result of a telephone interview with Examiner Vu and his supervisor on the morning of April 13, 2004 and a further interview with Examiner Vu the same afternoon, it was agreed that amending claim 1 to include reference to the first and second optical intensities would place the application in condition for allowance.

In order to advance prosecution, the claims submitted herewith have been amended to include these features. It is respectfully submitted that the claims are clearly patentable over the cited references without these features, for the reasons set out in previous responses.

Claim 12 has been added which parallels claim 1, but which does not use means plus function language.

Favourable consideration and allowance is  
respectfully submitted.

Respectfully submitted,

  
James C. Hay  
Attorney for Applicants  
Registration No. 44,751

PATENT ADMINISTRATOR  
KATTEN MUCHIN ZAVIS ROSENMAN  
525 West Monroe Street  
Suite 1600  
Chicago, Illinois 60661-3693  
Facsimile: (312) 902-1061